

**MINUTES OF COUNCIL MEETING  
FEBRUARY 23, 2006  
6:30 P.M.**

The Murray City Council met in regular session on Thursday, February 23, 2006, at 6:30 p.m. in the Council Chambers of City Hall, with Mayor Rushing presiding.

**Council Members Present:** Lance Allison, Doris Parham, Pete Lancaster, Rita Henley, Danny Hudspeth, Hugh Massey, Dan Miller, Robert Billington, Pat Scott, Jason Pittman, Butch Seargent, and Bill Wells.

**Council Members Absent:** None.

**Staff Present:** J. L. Barnett, Don Leet, Ken Claud, Michael Skinner, Thomas Clendenen, David Roberts, Candace Dowdy, Sam Perry, Dickie Walls, Gail Mullins, Matt Mattingly, Philip Morris, Don Rogers, Harla McClure, and Warren Hopkins.

Minutes of the council meeting held February 9, 2006, were presented for approval. **Mr. Scott moved, seconded by Mr. Pittman**, to approve the minutes as written. With no discussion, Mayor Rushing called for a voice vote, which was unanimous in favor of the motion.

**Ordinance Number 2006-1397** an Ordinance to rezone the rear portion of 807 and 809 Coldwater Road (2.312 acres) from R-2 (single family residential) to B-1 (neighborhood business district) was presented to the council on a second reading. Said property is owned by Giao Dinh and Tung Dinh. **Mr. Billington moved, seconded by Mr. Massey** to adopt said ordinance.

With no discussion, Mayor Rushing calls for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1397 adopted on the second reading and recorded in Ordinance Book Number 6, Page \_\_\_\_\_.

**Ordinance Number 2006-1398** an ordinance amending the pay for council members as it relates to attendance was presented to the council on a second reading. **Mr. Lancaster moved, seconded by Mr. Wells** to adopt said ordinance.

Mr. Scott stated that there is a possibility that someone will be absent for city related business and feels like there needs to be an amendment to allow for same. **Mr. Scott moved, seconded by Mr. Pittman** to amend Ordinance Number 2006-1398 wherein it is stated that effective January 1, 2007, city council members shall be allowed to be absent from two council meetings a year without a reduction in salary; however, in the event the absence is related to city business, that absence will not count toward the allowed missed meetings.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Pat Scott, Rita Henley, Robert Billington, Butch Seargent, Jason Pittman, Pete Lancaster, and Bill Wells.

**NAYS:** Doris Parham, and Dan Miller.

Mayor Rushing declared the amendment approved by a vote of 10 to 2.

**Mr. Lancaster moved, as seconded by Mr. Wells** to adopt Ordinance Number 2006-1398, as amended. With no further discussion Mayor Rushing called for the roll call vote, which is recorded as follows:

**AYES:** Lance Allison, Pat Scott, Rita Henley, Robert Billington, Jason Pittman, Pete Lancaster, and Bill Wells.

**NAYS:** Danny Hudspeth, Hugh Massey, Doris Parham, Dan Miller and Butch Seargent.

Mayor Rushing declared Ordinance Number 2006-1398, as amended adopted on the second reading by a vote of 7 to 5 and recorded in Ordinance Book Number 6, Page \_\_\_\_\_

**Ordinance Number 2006-1399** an ordinance amending Chapter 93, Health and Sanitation, of the City of Murray Code of Ordinances, as it pertains to open burning was presented to the council on a first reading. **Mr. Scott moved, seconded by Ms. Henley** to approve said ordinance.

Dickie Walls, Fire Inspector, stated that the recommended changes are to bring the ordinance in line with the current basic procedures used by the Fire Department and also to amend the timeline for the no burn season with the states. Mr. Walls stated we also need to put a limit on the size of brush piles being burnt.

Mr. Walls said that all necessary requirements of an individual who obtains a burn permit are outlined on the permit. He further stated that the EPA regulates the burning of leaves in cities over 8,000 population; therefore, we are not allowed to burn leaves within the city limits.

With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1399 approved on the first reading.

**Ordinance Number 2006-1400** an ordinance amending Chapter 95, Section 95.99, Penalty, of the City of Murray Code of Ordinances was presented to the council on a first reading. **Mr. Allison moved, seconded by Mr. Massey** to approve said ordinance.

Mayor Rushing recognized Don Rogers, Superintendent of Sanitation, and requested that he provide additional information. Mr. Rogers stated that the changes are to bring the penalties current. He stated the penalties were originally set about 40 to 50 years ago and have never been amended.

With no further discussion, Mayor Rushing called for a roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1400 approved on a first reading.

**Ordinance Number 2006-1401** an ordinance amending Ordinance Number 2005-1379, which adopted the 2005-2006 City of Murray, Kentucky, annual budget by restating certain expenditures for the City of Murray Operations Budget, regarding special appropriations for Phase II renovation of the Calloway County Renaissance Center was presented to the council for a first reading. **Mr. Pittman moved, seconded by Ms. Henley** to approve said ordinance.

Harla McClure, City Clerk, stated that Don Elias had provided information from the Governor's Office for Local Development, wherein they requested that the council adopt a budget amendment outlining the approved expenditure.

With no further discussion, Mayor Rushing called for a roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Hugh Massey, Doris Parham, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ordinance Number 2006-1401 approved on a first reading.

**Recommendation** from Murray Planning Commission authorizing the city attorney to draft an ordinance annexing a 23.829 acre tract of land located on Robertson Road South and owned by Dale Campbell, D&D Incorporated, was presented to the council for approval.

**Mr. Allison moved, seconded by Mr. Massey** to approve said authorization. With no further discussion, Mayor Rushing called for the voice vote which was unanimous in favor of the motion.

**Confirmation** of Ken Claud as Chief of Police. Mayor Rushing stated that we became aware of the amendment of the state statute recently and therefore needed to ratify the appointment of Chief Claud. **Mr. Massey moved, seconded by Mr. Hudspeth**, to confirm Chief Claud. With no further discussion, Mayor Rushing called for the roll call vote which is recorded as follows:

**AYES:** Lance Allison, Danny Hudspeth, Doris Parham, Hugh Massey, Rita Henley, Pete Lancaster, Dan Miller, Jason Pittman, Pat Scott, Robert Billington, Butch Seargent, and Bill Wells.

**NAYS:** None.

Mayor Rushing declared Ken Claud is hereby confirmed as Chief of Police for the City of Murray.

Mr. Wells stated that the next Make a Difference Day will be March 25<sup>th</sup>.

With no further business to come before the council, the meeting adjourned at 7:10 p.m.

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H. Thomas Rushing, Mayor

Attest:

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Harla McClure, City Clerk